

SENATE BILL 797

Unofficial Copy  
A2

2004 Regular Session  
4r2700  
CF 4r2701

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By: **Chairman, Baltimore County Senators (By Request - Baltimore County Administration)**

Introduced and read first time: February 16, 2004

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County - Alcoholic Beverages - Additional Class B (Restaurant)**  
3 **License**

4 FOR the purpose of authorizing an individual, for the use of certain business entities,  
5 to obtain an additional Class B license in Baltimore County, up to a total of a  
6 certain number of Class B (on-sale) (hotels and restaurants) licenses by making  
7 application in the regular manner and paying the usual fee and if the restaurant  
8 for which the additional license authorized by this Act is sought meets certain  
9 requirements; providing for the construction of this Act; and generally relating  
10 to alcoholic beverages licenses in Baltimore County.

11 BY adding to  
12 Article 2B - Alcoholic Beverages  
13 Section 9-102(b-3C)  
14 Annotated Code of Maryland  
15 (2001 Replacement Volume and 2003 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 2B - Alcoholic Beverages**

19 9-102.

20 (B-3C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION OR  
21 § 8-204(L) OF THIS ARTICLE, IN BALTIMORE COUNTY, AN INDIVIDUAL, FOR THE USE  
22 OF A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION, UNINCORPORATED  
23 ASSOCIATION, OR LIMITED LIABILITY COMPANY IN THE COUNTY, MAY OBTAIN AN  
24 ADDITIONAL CLASS B LICENSE UP TO A TOTAL OF FOUR CLASS B (ON-SALE - HOTELS  
25 AND RESTAURANTS) BEER, WINE AND LIQUOR LICENSES UNDER THIS ARTICLE, BY  
26 MAKING APPLICATION IN THE REGULAR MANNER AND PAYING THE USUAL FEE IF  
27 THE RESTAURANTS FOR WHICH THE LICENSES ARE SOUGHT:

1 (I) MEET THE REQUIREMENTS OF THE RULES AND REGULATIONS  
2 OF THE BOARD OF LICENSE COMMISSIONERS REGARDING THE AVAILABILITY AND  
3 ISSUANCE OF LICENSES;

4 (II) MEET THE DEFINITION REQUIREMENTS OF "RESTAURANT"  
5 ESTABLISHED UNDER THE REGULATIONS OF THE BOARD OF LICENSE  
6 COMMISSIONERS;

7 (III) HAVE A MINIMUM SEATING CAPACITY OF 190 PERSONS FOR  
8 DINING;

9 (IV) HAVE A COCKTAIL LOUNGE OR BAR AREA SEATING CAPACITY  
10 THAT DOES NOT EXCEED 10 PERCENT OF THE SEATING CAPACITY FOR DINING;

11 (V) HAVE NO MORE THAN 20 PERCENT OF SALES IN ALCOHOLIC  
12 BEVERAGES IN CONNECTION WITH THE BUSINESS; AND

13 (VI) ARE LOCATED IN THE LIBERTY ROAD COMMERCIAL  
14 REVITALIZATION DISTRICT AS DEFINED BY THE COUNTY COUNCIL ON OCTOBER 18,  
15 1999.

16 (2) NOTHING CONTAINED IN THIS SECTION MAY BE CONSTRUED TO  
17 AUTHORIZE THE ISSUANCE OF MORE THAN FIVE LICENSES TO AN INDIVIDUAL FOR  
18 THE USE OF A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION,  
19 UNINCORPORATED ASSOCIATION, OR LIMITED LIABILITY COMPANY IN THE COUNTY  
20 UNDER THIS ARTICLE, INCLUDING CLASS B (HOTELS AND RESTAURANTS) BEER,  
21 WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (SB) (RESTAURANT - SERVICE BAR)  
22 BEER, WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (TTC) (RESTAURANT) BEER,  
23 WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (OMTC) LICENSES, CLASS B (TRD)  
24 LICENSES, AND CLASS BDR (DELUXE RESTAURANT) BEER, WINE AND LIQUOR  
25 (ON-SALE) LICENSES.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2004.